UNITED STATES OF AMERICA..

To the Honorable Supreme Court of the United States:

By an Act of the General Assembly of Georgia, approved December 21st, 1898, entitled, "An Act to levy and collect a tax for the support of the State Government," etc., there was levied as an occupation tax "upon each emigrant agent or employee of such agent doing business in this State, the sum of Five Hundred Dollars for each County in which such business was conducted." (Act of General Assembly of Georgia 1898, page 24, tenth.) A violation of said law was made a misdemeanor punishable by a fine of one thousand dollars or by imprisonment for not less than one year. (Id. page 28.)

The appellant, R. A. Williams, failed to pay the tax, and was arrested in Morgan county, Ga., on the 14th day of January, 1900, for a violation of said law. He, thereupon, presented his petition for *habeas corpus* to the Judge of the Superior Court. At the hearing the petition was refused. Upon appeal to the Supreme Court of Georgia, that decision was affirmed. From said judgment by the Supreme Court of Georgia appellant brings error to this Court.

The petition for *habeas corpus* charges that the law in question is unconstitutional, as being violative of Article 1, Section 8, paragraph 3; of Article 4, section 2, and of the 14th amendment of the Constitution of the United States.

And now comes James Davison, solicitor for said

appellant R. A. Williams, and applies to have said case advanced for hearing, for the following reasons.

1st. Because the collection of said tax is stayed until this hearing.

2d. Because the appellant will be liable for said tax for two different years, to wit: 1899 and 1900, and if liable at all he is liable in a number of counties, and the pendency of this question greatly embarrasses these counties in the collection of revenue.

3d. Because this is a criminal case, and the appellant is deprived of his liberty pending a hearing.

Respectfully submitted in behalf of the appellant by

JAS. DAVISON,
Solicitor for Appellant.

P. O. address, Greensboro, Ga.

Due and legal service of the above and foregoing motion to advance the case of Williams vs. Fears et al. pending in the Supreme Court of the United States, is hereby acknowledged. Copy of same and further service or notice relative thereto waived. Consent is given for the motion to be presented to the Supreme Court at such time as the solicitor for appellant may see proper.

This, the 18 day of May, 1900.

J. M. Terrell
Attorney General
of Georgia.